

3. disqualify the applicant, permanently or for a specified number of subsequent administrations of the examination, from eligibility for examination.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3301-3312.

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, LR 12:525 (August 1986).

### **§3147. Passing Score**

An applicant will be deemed to have successfully passed the examination if he attains a score of at least 60; provided, however, that with respect to any given administration of the examination, the board may determine to accept a lower score as passing.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3301-3312.

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, LR 12:525 (August 1986).

### **§3149. Restriction, Limitations on Examinations**

An applicant having failed to attain a passing score upon taking the certification examination four times shall not thereafter be considered for certification and shall not be eligible to take the examination again.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3301-3312.

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, LR 12:525 (August 1986).

### **§3151. Lost, Stolen, or Destroyed Examinations**

The submission of an application for examination by the board shall constitute and operate as an acknowledgment and agreement by the applicant that the liability of the board, its members, committees, employees and agents, and the state of Louisiana to the applicant for the loss, theft, or destruction of all or any portion of an examination taken by the applicant, prior to the reporting of scores thereon by the Professional Examination Service or NATA shall be limited exclusively to the refund of the fees paid for examination by the applicant.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3301-3312.

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, LR 12:526 (August 1986).

## **Subchapter G. Certificate Issuance, Termination, Renewal, Reinstatement**

### **§3153. Issuance of Certificate**

A. If the qualifications, requirements, and procedures prescribed or incorporated by §§3105 or 3107 and §3129 are met to the satisfaction of the board, the board shall issue to the applicant a certificate evidencing the applicant's certification as a certified athletic trainer in the state of Louisiana.

B. A certificate issued by the board on the basis of examination by the board shall be issued by the board within 30 days following the reporting of the applicant's certification

scores to the board. A certificate issued to an applicant not required to be examined by the board shall be issued by the board within 15 days following the meeting of the board next following the date on which the applicant's application, evidencing all requisite qualifications, is completed in every respect.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3301-3312.

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, LR 12:526 (August 1986).

### **§3155. Expiration of Certificates**

A. Every certificate issued by the board under this chapter shall expire, and thereby become null, void, and to no effect, on the thirtieth day of June next following the date on which certificate was issued.

B. The timely submission of an application for renewal of a certificate, as provided by §3157 hereof, shall operate to continue the expiring certificate in force and effect pending the board's issuance, or denial of issuance, of the renewal certificate.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3301-3312.

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, LR 12:526 (August 1986).

### **§3157. Renewal of Certificate**

A. Every certificate issued by the board under this chapter shall be renewed annually on or before the date of its expiration by submitting to the board an application for renewal, upon forms supplied by the board, together with evidence of the qualifications requisite to renewal as specified in §3159 and the applicable renewal fee prescribed in Chapter 81 of these rules.

B. An application for renewal of certificate shall be mailed by the board to each person holding a certificate issued under this chapter on or before the first day of June of each year. Such form shall be mailed to the most recent address of each certified athletic trainer as reflected in the official records of the board.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3301-3312.

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, LR 12:526 (August 1986).

### **§3159. Qualifications for Renewal; Continuing Education**

To be eligible for renewal of certification, a certified athletic trainer shall, within each two-year period during which he holds certification, successfully complete 24 credits/hours of continuing education recognized by the NATA and shall biannually evidence such continuing education upon forms prescribed by the board to be submitted by an applicant for certificate renewal together with the renewal application.

AUTHORITY NOTE: Promulgated in accordance with R.S.

37:3301-3312.

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, LR 12:526 (August 1986).

### **§3161. Reinstatement of Certification**

A. A certificate which has expired without renewal may be reinstated by the board if application for reinstatement is made not more than two years from the date of expiration and subject to the conditions and procedures hereinafter provided.

B. An application for reinstatement shall be made upon forms supplied by the board and accompanied by two letters of recommendation from responsible officers of the applicant's last employment as an athletic trainer, together with the applicable renewal fee plus a penalty equal to twice the renewal fee.

C. With respect to an application for reinstatement made more than one year from the date on which the certificate expired, as a condition of reinstatement the board may require that the applicant complete a statistical affidavit upon a form provided by the board, provide the board with a recent photograph, and/or possess current, unrestricted certification or licensure issued by another state.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3301-3312.

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, LR 12:526 (August 1986).

## **Subchapter H. Continuing Education**

### **§3163. Scope of Subchapter**

The rules of this subchapter provide standards for the continuing education requisite to renewal of certification as an athletic trainer as required by §§3159 and 3165 of these rules and prescribe the procedures applicable to documentation of continuing education in connection with application for renewal of certification.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1270(B) and R.S. 37:3303.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Medical Examiners, LR 16:510 (June 1990).

### **§3165. Continuing Education Requirement**

To be eligible for renewal of certification, a certified athletic trainer shall, within each two-year period during which he holds certification, evidence and document, upon forms supplied by the board, successful completion of not less than 2.4 continuing education units. A continuing education unit (CEU) constitutes 10 hours of participation in an organized continuing education experience under responsible sponsorship, capable direction, and qualified instruction, as approved by the board; one hour is equal to one-tenth of a continuing education unit.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1270(B) and R.S. 37:3303.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Medical Examiners, LR 16:510 (June 1990).

### **§3167. Qualifying Programs and Activities**

A. To be acceptable as qualified continuing education under these rules, an activity or program must have significant intellectual or practical content, dealing primarily with matters related to athletic training, and its primary objective must be to maintain or increase the participant's competence as an athletic trainer.

B. The following programs and activities shall be deemed approved by the board for the number of continuing education units indicated:

1. A certified athletic trainer who is certified by and a member of the NATA shall receive credit for that number of continuing education units awarded or recognized by the NATA for attendance at or participation in any meeting, conference, workshop, seminar, course, or other activity held or conducted during the two-year period preceding renewal of certification.

2. One-tenth of a CEU shall be recognized for each hour of attendance at a course, seminar, or workshop sponsored by an organization or entity approved by the board and otherwise meeting the standards prescribed by §3167.A.

3. Six-tenths of a CEU shall be recognized for each instructional hour of presentation in the initial teaching, presentation, or conduct of a course, seminar, or workshop sponsored by an organization or entity approved by the board and otherwise meeting the standards prescribed by §3167.A, provided that such presentation is accompanied by thorough written materials or a comprehensive outline relating to the course, seminar, or workshop. Three-tenths of a CEU shall be recognized for each instructional hour of presentation for any subsequent teaching, presentation, or conduct of the same course, seminar, or workshop.

4. For the teaching of a course in or directly related to athletic training at an accredited educational institution, eight-tenths of a CEU shall be recognized for each hour of academic credit awarded by the institution to students for attendance at the course, provided that such teaching is not performed in the ordinary course of the certified athletic trainer's usual and ordinary employment.

5. One and one-half CEUs shall be recognized for publication, in a national, regional, or statewide scientific journal or other publication of a related profession, of an original written work, related to the maintenance or improvement of athletic training knowledge or skills, and otherwise meeting the standards prescribed by §3167.A.

6. One-half of a CEU shall be recognized for each credit hour obtained in a course of postgraduate study beyond the bachelors degree level undertaken and completed at an accredited educational institution, provided that such course of study meets the standards prescribed by §3167.A.

7. Three-tenths of a CEU shall be recognized for the completion of a correspondence course sponsored and offered by an organization or entity approved by the board and

meeting the standards prescribed by §3167.A.

8. One-half of a CEU shall be recognized for each year during which a certified athletic trainer, individually or jointly with one or more other certified athletic trainers, assumes responsibility for and discharges supervision of an apprentice or student athletic trainer for a full calendar year.

9. One-tenth of a CEU shall be recognized for each contact hour spent, by members in attendance at the annual meeting of the Louisiana Athletic Trainers' Association (LATA).

10. One-half of a CEU shall be recognized for each full year during which a certified athletic trainer serves as an elected or appointed officer or committee chairman of the LATA.

11. Two CEUs shall be recognized for each two weeks of volunteer service provided by a certified athletic trainer to any United State Olympic Committee-sponsored training center.

C. In addition to the programs and activities approved pursuant to §3167.B, upon application to the board pursuant to §3171 of these rules, the board may approve additional programs and activities as qualifying for continuing education unit credit and specify the CEUs which shall be recognized with respect to such program or activity.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1270(B) and R.S. 37:3303.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Medical Examiners, LR 16:510 (June 1990).

### **§3169. Continuing Education Subcommittee**

The continuing education subcommittee of the advisory committee ("the CE subcommittee"), constituted under authority of §3104, shall have the authority and responsibility to:

1. evaluate organizations and entities providing or offering to provide continuing education programs for athletic trainers and provide recommendations to the board with respect to the board's recognition and approval of such organizations and entities as sponsors of qualifying continuing education programs and activities pursuant to §§3171 and 3173;

2. review documentation of continuing education by certified athletic trainers, verify the accuracy of such information, and evaluate and make recommendations to the board with respect to whether programs and activities evidenced by applicants for renewal of certification comply with and satisfy the standards for such programs and activities prescribed by these rules;

3. request and obtain from applicants for renewal of certification such additional information as the committee may deem necessary or appropriate to enable it to make the evaluations and provide the recommendations for which the CE subcommittee is responsible.

AUTHORITY NOTE: Promulgated in accordance with R.S.

37:1270(B) and R.S. 37:3303.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Medical Examiners, LR 16:511 (June 1990), amended LR 24:938 (May 1998).

### **§3171. Approval of Program Sponsors**

A. Any program, course, seminar, workshop, or other activity meeting the standards prescribed by §3167.A sponsored or offered by the NATA or LATA shall be presumptively deemed approved by the board for purposes of qualifying as an approved continuing education activity under §3167.B.2, 3, and 7.

B. Upon the recommendation of the CE subcommittee, the board may designate additional organizations and entities whose programs, courses, seminars, workshops, or other activities shall be deemed approved by the board for purposes of qualifying as an approved continuing education activity under §3167.B.2, 3, and 7.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1270(B) and R.S. 37:3303.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Medical Examiners, LR 16:511 (June 1990), amended LR 24:939 (May 1998).

### **§3173. Approval of Activities**

A. A continuing education activity of any type defined by §3167.B.2, 3, or 7 sponsored by an organization or entity not deemed approved by the board pursuant to §3171 or an activity of a type specified by §3167.B.4, 5, or 6 may be pre-approved by the board prior to participation in such activity or application for renewal of certification upon written request to the board therefor accompanied by a complete description of the nature, location, date, content, and purpose of such activity and such other information as the board may request to establish compliance of such activity with the standards prescribed by §3167.A.

B. Any such written request shall be referred by the board to the CE subcommittee for its recommendation. If the CE subcommittee's recommendation is against approval, the board shall give notice of such recommendation to the person requesting approval and the person requesting approval may appeal the CE subcommittee's recommendation to the board by written request delivered to the board within 10 days of such notice. The board's decision with respect to approval of any such activity shall be final. Persons requesting board preapproval of continuing education activities should allow not less than 90 days for such requests to be processed.

C. Prior approval of a continuing education activity by the board is not necessary for recognition of such activity by the board for purposes of meeting the continuing education requirements requisite to renewal of certification.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1270(B) and R.S. 37:3303.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Medical Examiners, LR 16:512 (June 1990), amended LR 24:939 (May 1998).

**§3175. Documentation Procedure**

A. A form for documenting and certifying the completion of continuing education as required by these rules shall be mailed by the board to each certified athletic trainer subject to continuing education requirements with the application for renewal of certification form mailed by the board pursuant to §3157 of these rules. Such forms shall be completed and delivered to the board with certified athletic trainer's renewal application.

B. In lieu of or in addition to submission of the continuing education certification form supplied by the board, completion of all or part of the continuing education required by these rules may be satisfactorily evidenced, in whole or in part, by delivering or causing to be delivered to the board the original or a certified copy of a certification by the NATA as to CEU credits awarded or recognized by the NATA for continuing education activities undertaken and completed within the prior two-year period.

C. Any certification of continuing education activities not presumptively approved or preapproved in writing by the board pursuant to these rules shall be referred to the CE subcommittee for its evaluation and recommendations pursuant to §3169.B.2. If the CE subcommittee determines that an activity certified by an applicant for renewal in satisfaction of continuing education requirements does not qualify for recognition by the board or does not qualify for the number of continuing education units claimed by the applicant, the board shall give notice of such determination to the applicant for renewal and the applicant may appeal the CE subcommittee's recommendation to the board by written request delivered to the board within 10 days of such notice. The board's decision with respect to approval and recognition of any such activity shall be final.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1270(B) and R.S. 37:3303.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Medical Examiners, LR 16:512 (June 1990), amended LR 24:939 (May 1998).

**§3177. Failure to Satisfy Continuing Education Requirements**

A. An applicant for renewal of certification who fails to evidence satisfaction of the continuing education requirements prescribed by the rules shall be given written notice of such failure by the board. The certification of the applicant shall remain in full force and effect for a period of 60 days following the mailing of such notice, following which it shall be deemed expired, unrenewed, and subject to revocation without further notice, unless the applicant shall have, within such 60 days, furnished the board satisfactory evidence, by affidavit, that:

1. applicant has satisfied the applicable continuing education requirements;
2. applicant is exempt from such requirements pursuant to these rules; or

3. applicant's failure to satisfy the continuing education requirements was occasioned by disability, illness, or other good cause as may be determined by the board.

B. The certification of an athletic trainer whose certification has expired by nonrenewal or been revoked for failure to satisfy the continuing education requirements of these rules may be reinstated by the board upon written application to the board filed within two years of the effective date of expiration, nonrenewal, or revocation accompanied by satisfactory documentation of the completion of not less than three continuing education units within the prior two years and payment of a reinstatement fee, in addition to all other applicable fees and costs, of \$50. Any continuing education activities recognized for purposes of reinstatement shall not be recognized for purposes of any subsequent renewal of certification.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1270(B) and R.S. 37:3303.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Medical Examiners, LR 16:512 (June 1990), amended LR 24:939 (May 1998).

**§3179. Waiver of Requirements**

The board may, in its discretion and upon the recommendation of the CE subcommittee, waive all or part of the continuing education required by these rules in favor of a certified athletic trainer who makes written request for such waiver to the board and evidences to the satisfaction of the board a permanent physical disability, illness, financial hardship, or other similar extenuating circumstances precluding the athletic trainer's satisfaction of the continuing education requirements.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1270(B) and R.S. 37:3303.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Medical Examiners, LR 16:513 (June 1990), amended LR 24:939 (May 1998).

## Chapter 35. Clinical Laboratory Personnel

### Subchapter A. Scope and Definitions

**§3501. Scope and Purpose of Chapter**

A. Scope of Chapter. The rules of this chapter provide for and govern the licensure and certification of clinical laboratory personnel to practice clinical laboratory science in the state of Louisiana.

B. Declaration of Purpose. The purpose of these rules and the law they implement is to protect the public health, safety, and welfare of the people of Louisiana from improper performance of laboratory tests by clinical laboratory personnel. Clinical laboratories provide essential services to health care practitioners by furnishing information vital to determination of the nature, cause, and extent of the condition involved. Licensure of laboratory personnel protects against the improper performance of laboratory tests by establishing